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Acting Under Authority Conferred By 28 U.S.C. § 515

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO: CR 18-533 RS
)	
Plaintiff,)	STIPULATION TO CONTINUE STATUS
)	CONFERENCE, SET MOTIONS HEARING, AND
v.)	ORDER
)	
LORIK PAPYAN and STEVEN SILVERMAN)	
)	
Defendants.)	
)	
)	

The parties are currently set for a status conference on October 13, 2020. Counsel for Defendant Silverman has informed the government that he is considering filing a motion or motions for pre-trial adjudication. The parties therefore stipulate and agree that it would be appropriate for the Court to vacate the upcoming status conference and set a briefing schedule for any such motion. The parties have conferred on possible schedules. Government counsel is currently set for trial before Judge Breyer commencing on January 19, 2021, which is expected to last four weeks. The parties agree to the following schedule/deadlines:

February 16, 2021: Defense to file any motions to suppress, motions under Rule 21, and motions relating to venue.

1 March 9, 2021: Government to file oppositions to any motion.

2 March 16, 2021: Defense to file any reply in support of a motion.

3 March 23, 2021: Motion hearing.

4 In the event no motion is filed, the parties agree that the March 23 hearing shall be converted
5 into a trial-setting hearing.

6 The parties further stipulate and agree that an exclusion of time for purposes of the Speedy Trial
7 Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B) would be appropriate between October 13, 2020, and
8 March 23, 2021. Exclusion of time until March 23, 2021, will allow the defense to review the evidence,
9 do further investigation, prepare any potential motions, and is necessary for the effective preparation of
10 counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

11
12 IT IS SO STIPULATED.

13 DATED: October 8, 2020

/s/
ANDREW F. DAWSON
Assistant United States Attorney

15 DATED: October 8, 2020

/s/
ALEX KESSEL
Counsel for Defendant Papyan

18 DATED: October 8, 2020

/s/
TIMOTHY SCOTT
Counsel for Defendant Silverman

20 ORDER

21 The previously scheduled appearance on October 13, 2020, is hereby vacated. The Court hereby
22 sets a briefing schedule as outlined in the parties' stipulation, above, and sets a motion hearing for
23 1:30pm on March 23, 2021. In the event no motion is filed, the hearing on March 23, 2021 shall be
24 converted into a trial setting hearing. Pursuant to the parties' stipulation, the Court finds that the
25 exclusion of the period from October 13, 2020 to March 23, 2021 from the time limits applicable under
26 18 U.S.C. § 3161 is warranted; that the ends of justice served by the continuance outweigh the interests
27 of the public and the defendant in the prompt disposition of this criminal case; and that the failure to
28

1 grant the requested exclusion of time would deny counsel for the defendant and for the government the
2 reasonable time necessary for effective preparation and of counsel, taking into account the exercise of
3 due diligence, and would result in a miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

4 IT IS SO ORDERED.

5
6 DATED: October 9, 2020



HON. RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE